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LEE & HAYES PLLC
421 W RIVERSIDE AVENUE SUITE 500
SPOKANE, WA 99201

EXAMINER	
ABEL JALIL, NEVEEN	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/693,659	SNOVER ET AL.	
	Examiner	Art Unit	
	Neveen Abel-Jalil	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 October 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11 and 13-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11, & 13-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/ are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), w, and as filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 29-October -2007 has been entered.

2. The response filed on 29-October -2007 has been received and considered. Claims 10-24 are pending.

Response to Amendment

3. The Declaration filed on September 26, 2007 under 37 CFR 1.131 has been considered but is ineffective to overcome the Snover (U.S. Pub. No. 2004/0243543 A1) reference.

Allegation of FACTS

4. MPEP § 715.07 (I) states, *inter alia*,

> The essential thing to be shown under 37 CFR § 1.131 is priority of invention and this may be done by any satisfactory evidence of the fact. FACTS, not conclusions, must be alleged. Evidence in the form of exhibits may accompany the affidavit or declaration. Each exhibit relied upon should be specifically referred to in the affidavit or declaration, in terms of what it is relied upon to show.
>
> A general allegation that the invention was completed prior to the date of the reference is not sufficient. *Ex parte Saunders*, 1883 C.D. 23,

> 23 O.G. 1224 (Comm'r Pat. 1883). Similarly, a declaration by the inventor to the effect that his or her invention was conceived or reduced to practice prior to the reference date, without a statement of facts demonstrating the correctness of this conclusion, is insufficient to satisfy 37 CFR § 1.131.
>
> The affidavit or declaration and exhibits must clearly explain which facts or data applicant is relying on to show completion of his or her invention prior to the particular date. Vague and general statements in broad terms about what the exhibits describe along with a general assertion that the exhibits describe a reduction to practice "amounts essentially to mere pleading, unsupported by proof or a showing of facts" and, thus, does not satisfy the requirements of 37 CFR § 1.131(b). *In re Borkowski*, 505 F.2d 713, 184 USPQ 29 (CCPA 1974). Applicant must give a clear explanation of the exhibits pointing out exactly what facts are established and relied on by applicant. 505 F.2d at 718-19, 184 USPQ at 33. See also *In re Harry*, 333 F.2d 920, 142 USPQ 164 (CCPA 1964) (Affidavit "asserts that facts exist but does not tell what they are or when the occurred.").

5. In the case of the instant declarations, the Applicants have alleged conclusions, not facts as is required under 37 C.F.R. § 1.131.

The declarations allege that the claimed invention was reduced to practice on or before March 2002, a conclusion that has yet to be drawn based upon the submitted evidence.

A proper declaration is required to allege FACTS, which are fully supported by evidence.

The evidence submitted in support of the Applicants' declarations includes an **"Disclosure packet"** document only summarizing the alleged concept in one paragraph. One fact that could be alleged based upon this document is that (for instance) performance testing for some pre-release of the "CMDLET shell for Microsoft's .NET™ product" that took place prior to March 2002 and there must be some product release announcement that occurred after the March 2002 reduction to practice date.

This evidence, however, by itself, fails to support the conclusion alleged in the Applicants' declarations that the claimed invention was reduced to practice prior to March 2002.

More so, correlation and/or mapping to the claims appears to be missing as such the disclosure packet offers no relationship or explanation relative to claimed invention

As such, the Applicants have failed to meet their burden under 37 C.F.R. § 1.131(b).

Nevertheless, in order to advance prosecution of the application, the examiner will proceed to consider the remaining merits of the declaration and supporting evidence that has been submitted.

Conception

6. In the case of the instant affidavit, since the Applicant is alleging actual reduction to practice before the date of the applied references, the date of conception is not an issue.

Diligence

7. As stated above, since the Applicant alleges an actual reduction to practice prior to the date of the applied reference, diligence is not at issue.

Reduction to Practice

8. Regarding reduction to practice, MPEP § 715.07 states:

> In general, proof of actual reduction to practice requires a showing that the apparatus actually existed and worked for its intended purpose. See MPEP § 2138.05.

9. In this case, an actual reduction to practice is alleged to have occurred in March, 2002. However, actual reduction to practice is not fully supported by the Microsoft "disclosure packet" document submitted as evidence.

The Applicants have failed to resolve (at least) the following issues which call into question the actual reduction to practice as alleged in the Applicants' declaration:

* Whether any performance/product release testing to support the **"disclosure packet"** document was performed.

* Whether the performance/product release testing resulting from the **"disclosure packet"** document produced test results that demonstrated that the test was in fact successful.

* Whether the performance/product release testing resulting from the **"disclosure packet"** document was of such a nature as to establish that the software would work for its intended purpose.

* Whether the performance/product release testing resulting from the **"disclosure packet"** document was performed on software that included all of the claim limitations, or if not, which claim limitations were included in the software tested.

10. For the reasons cited above, the declarations filed by the Applicants under 37 C.F.R.§ 1.131 fail to establish that the claimed invention was reduced to practice prior to the critical period, and also fails to establish that the claimed invention was conceived prior to the critical period and diligently reduced to practice thereafter. As such, the affidavit is insufficient to establish invention prior to the prior art references relied upon in the rejections of record. The rejections are maintained by the examiner.

Double Patenting

11. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re*

Vogel, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

12. Claim(s) 1, 19, 26, and 30 of Co-pending application 10/438,235 contain(s) every element of Independent claim(s) 1, 14, and 19 in combination with dependent claims 5, and 11 of the instant application and as such anticipate(s) claim(s) 1, 5, 11, 14, and 19 of the instant application.

Claim(s) 1 of Co-pending application 10/882,828 contain(s) every element of Independent claim(s) 1, 14, and 19 in combination with dependent claims 5, and 11 of the instant application and as such anticipate(s) claim(s) 1, 5, 11, 14, and 19 of the instant application.

Claim(s) 1 of Co-pending application 10/693,589 contain(s) every element of Independent claim(s) 1, 14, and 19 in combination with dependent claims 5, and 11 of the instant application and as such anticipate(s) claim(s) 1, 5, 11, 14, and 19 of the instant application.

"A later patent claim is not patentably distinct from an earlier patent claim if the later claim is obvious over, or **anticipated by**, the earlier claim. In re Longi, 759 F.2d at 896, 225 USPQ at 651 (affirming a holding of obviousness-type double patenting because the claims at issue were obvious over claims in four prior art patents); In re Berg, 140 F.3d at 1437, 46 USPQ2d at 1233 (Fed. Cir. 1998) (affirming a holding of obviousness-type double patenting where a patent application claim to a genus is anticipated by a patent claim to a species within that genus). " ELI LILLY AND COMPANY v BARR LABORATORIES, INC., United States Court of Appeals for the Federal Circuit, ON PETITION FOR REHEARING EN BANC

(DECIDED: May 30, 2001).

Claim Objections

13. Claims 1, 9, 14, and 19 are objected to because of the following informalities: Claims 1, 14, and 19 are missing "which when executed by a computer perform" or similar language.

Claim 9 is missing the term "medium" in line 1.

Claim 19 is missing the term "computer" in line 1 of the preamble.

Claim 19, line 5 "for execution" should be replaced with "executable".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

14. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

15. Claims 1, 14, and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1's language of lines 10-12 appear to describe that each command line can have only one execution element associated with it by stating "at least one"; thus, if you execute a command with its associated element; the output will not be passed to the next element since there is none. Therefore, is the output being passed to the next sequential command line?

Clarification to the claim language is respectfully requested. Similar problems exist in claims 14, and 19.

Claim Rejections - 35 USC § 102

16. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

17. Claims 1-11, and 13-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Snover (U.S. Pub. No. 2004/0243543 A1).

As to claims 1, and 19, Snover discloses a system that extends data types available to an operating environment, the system comprising:

a processor (See Figure 1, 102); and

a memory, the memory being allocated for a plurality of computer-executable instructions which are loaded into the memory (See Figure 1, 104) for execution by the processor, the computer-executable instructions comprising:

parsing a sequence of object-based commands into individual object-based commands (See Figure 5, 502);

associating each individual object-based command with at least one execution element (See Figure 5, 504, wherein "execution element" reads on "method");

executing each execution element associated with each individual object-based command to produce output objects, the executing act comprising processing each execution element in order of each execution element's associated individual object-based commands in the sequence of object-based commands and inputting into one or more execution elements output objects produced from one or more previously processed execution elements (See page 4, paragraph 0031, and see page 5, paragraphs 0040-0041),

wherein the parsing, associating, and executing acts facilitate resolution of partially unresolved input (See page 4, paragraph 0031, and see page 5, paragraphs 0040-0041).

As to claims 2, and 20, Snover discloses wherein execution of each element is execution dependent upon an execution-supporting operating environment (See page 2, paragraph 0018) in order to actually execute and instructions further comprising resolving each object-based command in the sequence of object-based commands to a data type.

As to claim 3, Snover discloses wherein the data type is not natively supported by the operating environment, the processing further comprises retrieving extended information that defines the data type and creating an instance of the data type for each object-based command in the sequence (See page 3, paragraph 0021).

As to claims 4, 16, and 22, Snover discloses wherein the extended information comprises extended metadata and code, the extended metadata describes the data type and the code comprises additional instructions to populate the instance of the data type (See page 3, paragraph 0021, wherein "metadata" reads on "annotation").

As to claim 5, Snover discloses comprising receiving the sequence of object-based commands via an object-based command pipeline, wherein the sequence of object-based commands includes a wildcard and the processing further comprises producing a subset of the sequence of object-based commands based on the wildcard (See page 2, paragraph 0016, lines 16-31).

As to claim 6, Snover discloses further comprising receiving the sequence of object-based commands via an object-based command pipeline, wherein the sequence of object-based commands includes a property set and the processing further comprises identifying a plurality of properties associated with the property set and processing the sequence of object-based commands based on the plurality of properties (See pages 4-5, paragraph 40, and see page 5, paragraph 0042).

As to claim 7, Snover discloses comprising receiving the sequence of object-based commands via an object-based command pipeline, wherein the sequence of object-based commands includes a relation and the processing further comprises finding items that the sequence of object-based commands consume based on the relation (See page 5, paragraphs 40-

41).

As to claims 8, and 21, Snover discloses further comprising receiving the sequence of object via an object-based command pipeline, wherein the sequence of object-based commands comprises a property path, the property path comprises a series of components that provide navigation to a desired property of each object -based command in the sequence (See page 4, paragraph 0029).

As to claims 9, and 23, Snover discloses wherein the sequence of object-based commands is associated with a first data type and the processing further comprising looking up a conversion for converting the first data type to the data type (See page 4, paragraph 0029).

As to claim 10, Snover discloses wherein each component comprises a property of each object-based command in the sequence, a method of each object-based command in the sequence, a field of each object-based command in the sequence, a third party property, or a third party object method (See page 3, paragraph 0020).

As to claim 11, Snover discloses wherein the sequence of object-based is received as input to a subsequent command in the object-based command pipeline after processing the sequence of object-based commands (See page 2, paragraph 0017).

As to claim 13, Snover discloses wherein a component comprises a reference to registered code (See pages 3-4, paragraph 0026).

As to claim 14, Snover discloses a computer storage medium for facilitating resolution of partially unresolved input, the medium having computer executable instructions, the instructions comprising:

receiving one or more parseable input objects (See page 4, paragraph 0028), the input objects being output from an already processed execution element that is associated with one or more object-based commands of a sequence of commands obtained via an object-based command pipeline within an execution-supporting operating environment, the one or more parseable input objects including content that uses a data type that is not natively supported by the execution-supporting operating environment, wherein the execution of an execution element is execution dependent upon the execution-supporting operating environment in order to actually execute (See page 4, paragraph 0031, and see page 5, paragraphs 0040-0041);

retrieving extended information that defines the data type (See page 3, paragraph 0021); and

creating an instance of the data type (See page 3, paragraph 0020, lines 20-24), wherein the receiving, retrieving, and creating acts facilitate resolution of partially unresolved input.

As to claim 15, Snover discloses wherein the one or more parseable input objects comprises a Windows Management Instrumentation (WMI) input, an ActiveX Data Object (ADO) input, an XML input, or a third party data format (See page 3, paragraph 0019).

As to claim 15, Snover discloses wherein the one or more parseable input objects comprises a third party object that provides an additional property to an object supported natively within the execution-supporting operating environment (See page 3, paragraph 0020, lines 7-16).

As to claim 18, Snover discloses wherein the one or more parseable input comprises an ontology service (See page 5, paragraph 0042, wherein syntax is part of ontology).

To Expedite prosecution, claims are alternatively rejected under:

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

19. Claims 1-11, and 13-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murray et al. (U.S. Pub. No. 2006/0235968 A1) in view of Young (U.S. Patent No. 6,782,531 B2).

As to claims 1, and 19, Murray et al. discloses a system that extends data types available to an operating environment, the system comprising:

a processor (See Murray et al. page 3, paragraph 0024); and

a memory, the memory being allocated for a plurality of computer-executable instructions which are loaded into the memory (See Murray et al. page 3, paragraph 0024) for execution by the processor, the computer-executable instructions comprising:

parsing a sequence of object-based commands into individual object-based commands (See Murray et al. page 7, paragraph 0090);

associating each individual object-based command with at least one execution element See Murray et al. page 6, paragraph 0085);

executing each execution element associated with each individual object-based command to produce output objects, the executing act comprising processing each execution element in order of each execution element's associated individual object-based commands in the sequence of object-based commands (See Murray et al. page 6, paragraphs 0086-0087),

wherein the parsing, associating, and executing acts facilitate resolution of partially unresolved input (See Murray et al. page 7, paragraph 0090).

Although, Murray et al. teaches sequence of execution in paragraph 0086, Murray et al. does not explicitly state inputting into one or more execution elements output objects produced from one or more previously processed execution elements.

Whereas, in the same field of endeavor, Younq discloses a data processing system including a transaction processor pipeline made up of a number of pipeline stage (sub-component) and a parser for parsing data object; and sending, with the method associated with a first pipeline sub-component, the at least one object to a next pipeline sub-component for processing, the next pipeline sub-component being one of the plurality of pipeline sub-components; and outputting information from at least one of the plurality of pipeline sub-components, the information is the result of at least a portion of the processing performed by the object based pipeline (FIG. 2-3; col. 7, lines 15-61).

It would be obvious to one having ordinary skill in the art at the time the invention was made to modify Murray et al.'s invention with Young's invention to include inputting into one or more execution elements output objects produced from one or more previously processed execution elements. One would have been motivated to provide include such feature in order to provide a flexible, distributed system for performing calculations defined (Young's col. 8, lines 48-55).

As to claims 2, and 20, Murray et al. as modified discloses wherein execution of each element is execution dependent upon an execution-supporting operating environment in order to actually execute and instructions further comprising resolving each object-based command in the sequence of object-based commands to a data type (See Murray et al. page 6, paragraph 0087).

As to claim 3, Murray et al. as modified discloses wherein the data type is not natively supported by the operating environment, the processing further comprises retrieving extended information that defines the data type and creating an instance of the data type for each object-based command in the sequence (See Murray et al. page 5, paragraph 0067, and see Murray et al. page 6, paragraph 0076).

As to claims 4, 16, and 22, Murray et al. as modified discloses wherein the extended information comprises extended metadata and code, the extended metadata describes the data type and the code comprises additional instructions to populate the instance of the data type (See Murray et al. page 6, paragraph 0082, wherein "attributes" are read on "metadata").

As to claim 5, Murray et al. as modified discloses comprising receiving the sequence of object-based commands via an object-based command pipeline (See Young column 7, lines 16-44, and see Young column 8, lines 1-10), wherein the sequence of object-based commands includes a wildcard and the processing further comprises producing a subset of the sequence of object-based commands based on the wildcard (See Murray et al. page 5, paragraph 0069, wherein it is inherent in any command language that character representing wildcard is accepted).

As to claim 6, Murray et al. as modified discloses further comprising receiving the sequence of object-based commands via an object-based command pipeline (See Young column 7, lines 16-44, and see Young column 8, lines 1-10), wherein the sequence of object-based

commands includes a property set and the processing further comprises identifying a plurality of properties associated with the property set and processing the sequence of object-based commands based on the plurality of properties (See Murray et al. page 7, paragraph 0090).

As to claim 7, Murray et al. as modified discloses comprising receiving the sequence of object-based commands via an object-based command pipeline (See Young column 7, lines 16-44, and see Young column 8, lines 1-10), wherein the sequence of object-based commands includes a relation and the processing further comprises finding items that the sequence of object-based commands consume based on the relation (See Young column 7, lines 48-61, also see Murray et al. page 7, paragraph 0096, lines 16-20, wherein "sequential" is taught).

As to claims 8, and 21, Murray et al. as modified discloses further comprising receiving the sequence of object via an object-based command pipeline (See Young column 7, lines 16-44, and see Young column 8, lines 1-10), wherein the sequence of object-based commands comprises a property path, the property path comprises a series of components that provide navigation to a desired property of each object -based command in the sequence (See Murray et al. page 7, paragraph 0092, also see Murray et al. page 7, paragraph 0096, lines 16-20, wherein "sequential" is taught).

As to claims 9, and 23, Murray et al. as modified discloses wherein the sequence of object-based commands is associated with a first data type and the processing further comprising

looking up a conversion for converting the first data type to the data type (See Murray et al. page 5, paragraph 0067, and see Murray et al. page 6, paragraph 0076).

As to claim 10, Murray et al. as modified discloses wherein each component comprises a property of each object-based command in the sequence, a method of each object-based command in the sequence, a field of each object-based command in the sequence, a third party property, or a third party object method (See Young column 8, lines 48-64).

As to claim 11, Murray et al. as modified discloses wherein the sequence of object-based is received as input to a subsequent command in the object-based command pipeline after processing the sequence of object-based commands (See Young column 7, lines 16-44, and see Young column 8, lines 1-10).

As to claim 13, Murray et al. as modified discloses wherein a component comprises a reference to registered code (See Murray et al. page 4, paragraph 0055).

As to claim 14, Murray et al. discloses a computer storage medium for facilitating resolution of partially unresolved input, the medium having computer executable instructions, the instructions comprising:

receiving one or more parseable input objects (See Murray et al. page 7, paragraph 0090), the input objects being output from an already processed execution element that is associated

with one or more object-based commands of a sequence of commands obtained within an execution-supporting operating environment, the one or more parseable input objects including content that uses a data type that is not natively supported by the execution-supporting operating environment, wherein the execution of an execution element is execution dependent upon the execution-supporting operating environment in order to actually execute (See Murray et al. page 6, paragraphs 0086-0087);

retrieving extended information that defines the data type (See Murray et al. page 6, paragraph 0076); and

creating an instance of the data type (See Murray et al. page 5, paragraph 0069), wherein the receiving, retrieving, and creating acts facilitate resolution of partially unresolved input.

Murray et al. discloses the claimed invention but does not explicitly teach via an object-based command pipeline.

Whereas, in the same field of endeavor, Young discloses a data processing system including a transaction processor pipeline made up of a number of pipeline stage (sub-component) and a parser for parsing data object; and sending, with the method associated with a first pipeline sub-component, the at least one object to a next pipeline sub-component for processing, the next pipeline sub-component being one of the plurality of pipeline sub-components; and outputting information from at least one of the plurality of pipeline sub-components, the information is the result of at least a portion of the processing performed by the object based pipeline (FIG. 2-3; col. 7, lines 15-61).

It would be obvious to one having ordinary skill in the art at the time the invention was made to modify Murray et al.'s invention with Young's invention to include a pipeline objects executed in different stage as sub-component for data processing. One would have been motivated to provide include such feature in order to provide a flexible, distributed system for performing calculations defined (Young's col. 8, lines 48-55).

As to claim 15, Murray et al. as modified discloses wherein the one or more parseable input objects comprises a Windows Management Instrumentation (WMI) input, an ActiveX Data Object (ADO) input, an XML input, or a third party data format (See Murray et al. page 6, paragraph 0077).

As to claim 15, Murray et al. as modified discloses wherein the one or more parseable input objects comprises a third party object that provides an additional property to an object supported natively within the execution-supporting operating environment (See Murray et al. page 5, paragraph 0064, and see Murray et al. page 6, paragraph 0079).

As to claim 18, Murray et al. as modified discloses wherein the one or more parseable input comprises an ontology service (See Murray et al. page 3, paragraph 0027, and see Murray et al. page 6, paragraph 0079, wherein "ontology" reads on "grammar").

Response to Arguments

20. Applicant's arguments with respect to claims 1-11, and 13-23 have been considered but are moot in view of the new ground(s) of rejection.

Note: the only amendments made regarding prior art were presenting a 1.131. Declaration which is addressed above.

Conclusion

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Little et al. (U.S. Patent No. 6,907,572 B2) teaches serialized input into a file by CLI Builder.

For complete list of relevant art, see PTO-form 892.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 571-272-4074. The examiner can normally be reached on 8:30AM-5: 30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian Chace can be reached on 571-272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Neveen Abel-Jalil
Primary Examiner
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